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HON'BLE IN THE HIGH COURT OF CHHATTISHGARH AT BILASPUR

M.C.C. No. - 397/06

(Election Petition No.- 14/2004) Single Bench

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APPLICANT/ PETITIONER	:-	SHIVRATAN SHARMA AGED ABOUT 43 YRS, S/O SHRI RAMDAYAL SHARA, R/O SUBHASH WARD, BATAPARA, DISTRICT RAIPUR (C.G.)

Vrs.

NON-APPLICANT/ RESPONDENTS	:- 1.	CHAITRAM SAHU AGED ABOUT 53 YRS, S/O RUNARAM SAHU, R/O MOPKA BHATAPARA, DIST. RAIPUR (CHHATTISGARH)
	2.	KHEMDAS TANDAN AGED ABOUT 45 YRS. S/O NOT KNOWN, R/O VILLAGE BUDGAHAN POST BHATBHERA, TAHSIL SIMGA, DIST. RAIPUR (CHHATTISGARH)
	3.	HARDEEP SINGH @ RAJU AGED ABOUT 40 YRS. , S/O NOT KNOWN, TILDA ROAD, SIMGA, TAHSIL SIMAGA, DIST. RAIPUR (CHHATTISGARH)
	4.	DEBIN BAI NETAM AGED ABOUT 50 YRS. W/O NOT KNOWN, R/O VILL. LAWAR TAHSIL , SIMGA DIST. RAIPUR (CHHATTISGARH)
	5.	BHAGAT RAM AGED ABOUT 40 YRS., S/O NOT KNOWN. R/O VILLAGE CHAKARVAY, POST DAMAKHEDA, TAHSIL SIMGH, DIST. RAIPUR (CHHATTISGARH)
	6.	RADHELAL AADIL AGED ABOUT 53 YRS. S/O NOT KNOWN, R/O VILLAGE & POST DATRENGI, TAHSIL BHATAPARA, DIST. RAIPUR (CHHATTISGARH)
	7.	MOHAN DHIKDA AGED ABOUT 40 YRS., S/O NOT KNOWN, R/O VILLAGE KUKRACHUNDA, POST MOHBHATTA, DIST. RAIPUR (CHHATTISGARH)
	8.	VIDESHI TANDAN AGED ABOUT 70 YRS. S/O VILLAGE SENDERI, POST BHATAPARA DIST. RAIPUR (CHHATTISGARH)

P.R. No. 2171106
Presented by Shri R Gupta
dated 31/7/06

NOTARY
R M Dubey
Bilaspur (C.G.)
C.G. 14/13/5-2-03
31 JUL 2006
GOVT. OF CHHATTISGARH

APPLICATION FOR SETTING ASIDE THE DISMISSAL ORDER DATED 06-7-2006 PASSED BY HON'BLE JUSTICE

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... MCC 397/06 **सन्** **200** 25

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक साहेत	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

18.08.2006

Shri Sudhir Agrawal, counsel for the applicant.
None appears for the non-applicants.

Heard on I.A. No. 2431/2006. This is an application for disposal of the case finally in absence of non-applicants.

On 6-7-2006, this Court in absence of both the parties had dismissed the Election Petition No. 14/2004, therefore, without issuance of notices to the non-applicants, the application for restoration of the election petition can be heard and decided in conformity with Order 9 Rule 4 of C.P.C. Therefore, I.A. No. 2431/2006 is allowed.

Heard on M.C.C. No. 397/2006.

The averments in the application have been supported by an affidavit. For absence of the petitioner, the responsibilities have been fastened on the counsel.

Taking into consideration the grounds raised in the petition dully supported by affidavit, I am satisfied that there was sufficient cause for non-appearance of the petitioner on 6-7-2006. Therefore, the order passed by this Court on 6-7-2006 in Election Petition No. 14/2004 is set aside and the election petition is restored to its original number.

M.C.C. No. 397/2006 stands disposed of.

In view of the above order, I.A. No. 2432/2006, application for early hearing stands disposed of.

Sd/-
V.K.Shrivastava
Judge

Pathak
29/8/06